

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

FINAL ORDER OF FORFEITURE
AND ORDER OF DELIVERY

- against -

Cr. 03-1368 (ARR)

GARY LALL,
also known as "Indian,"

Defendant.

- - - - - X

UPON the Declaration of BRENDAN G. KING, Assistant United States Attorney, dated April 11, 2006, and upon all papers filed and proceedings had herein, and pursuant to 21 U.S.C. § 853 and Rule 32.2 of the Federal Rules of Criminal Procedure, and the application of the United States of America, it is hereby

ORDERED, ADJUDGED AND DECREED that pursuant to 21 U.S.C. § 853, and the Preliminary Order of Forfeiture dated June 22, 2005, that the defendant, GARY LALL, shall forfeited all of his right, title and interest in \$26,708.00 in United States currency (the "Forfeited Funds") to the United States of America; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Forfeited Funds are hereby condemned, forfeited and vested in the United States of America pursuant to 21 U.S.C. § 853; and

IT IS FURTHER ORDERED that the United States Bureau of Customs and Border Protection and its duly authorized agents and contractors, be, and the same hereby are, directed to dispose and fully liquidate all right, title and interest in the Forfeited

Funds, in accordance with all applicable laws and regulations; and

IT IS FURTHER ORDERED that any and all Forfeited Funds shall be deposited by the United States into the Department of Treasury Forfeiture Fund in accordance with the law; and

IT IS FURTHER ORDERED that the United States District Court for the Eastern District of New York shall retain jurisdiction in the case for the purpose of enforcing this Order; and

IT IS FURTHER ORDERED that the Clerk of the Court shall enter final judgment of forfeiture to the United States in accordance with the terms of this Order and the Preliminary Order of Forfeiture; and

IT IS FURTHER ORDERED that the Clerk of the Court forward four (4) certified copies of this Final Order of Forfeiture and Order of Delivery to Assistant United States Attorney Brendan G. King, United States Attorney's Office, Eastern District of New York, One Pierrepont Plaza, 16th Floor, Brooklyn, New York 11201.

Dated: Brooklyn, New York
April 11, 2006

ARR

~~HONORABLE ALLYNE R. ROSS~~
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

GARY LALL,
also known as "Indian,"

Defendant.

- - - - - X

BRENDAN G. KING declares as follows:

1. I am an Assistant United States Attorney in the Eastern District of New York, of counsel to ROSLYNN R. MAUSKOPF, United States Attorney for the Eastern District of New York, the attorney for the United States of America. The information contained in this declaration is based upon personal knowledge and upon the files and records of the United States.

2. This declaration is respectfully submitted in support of the Government's application for a final decree of forfeiture and order of delivery of \$26,708.00 in United States currency recovered from the premises and real property located at 31-09 Healy Avenue, Far Rockaway, New York (the "Forfeited Funds").

3. On January 28, 2005, in the above-captioned Superseding Indictment, the Government sought forfeiture pursuant to 21 U.S.C. § 853 of \$26,708.00, as property constituting, or derived from, proceeds obtained, directly or indirectly, and any

DECLARATION OF ASSISTANT
UNITED STATES ATTORNEY
BRENDAN G. KING IN
SUPPORT OF APPLICATION
FOR FINAL DECREE OF
FORFEITURE AND
ORDER OF DELIVERY

Cr. 03-1368 (ARR)

property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of violation of 21 U.S.C. §§ 963, 960(b)(1)(B)(ii) and 960(b)(3), and/or 21 U.S.C. §§ 846, 841(b)(1)(A)(ii)(II) and 841(b)(1)(C).

3. On June 10, 2005, a jury convicted the defendant, GARY LALL, (the "Defendant") of all counts alleged in the Superseding Indictment.

4. On June 13, 2005, the jury found that the Forfeited Funds were subject to forfeiture by the Defendant.

5. On June 22, 2005, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 21 U.S.C. § 853, and Rule 32.2 of the Federal Rules of Criminal Procedure, forfeiting to the United States all of the Defendant's right, title and interest in the Forfeited Funds.

6. The Bureau of Customs and Border Protection, Department of Homeland Security ("CBP") executed process and served, by certified mail, return receipt requested, a copy of the Preliminary Order of Forfeiture on Mel A. Sachs, Esq., attorney for the Defendant. (Annexed hereto as Exhibit A is a copy of the Department of the Treasury Process Receipt and Return form.)

7. Legal notice of the forfeiture was published in The NEW YORK POST, a newspaper of general circulation in this district on January 16, January 23, and January 30, 2006. (Annexed hereto as Exhibit B is a copy of the Affidavit of Chris Robinson, dated

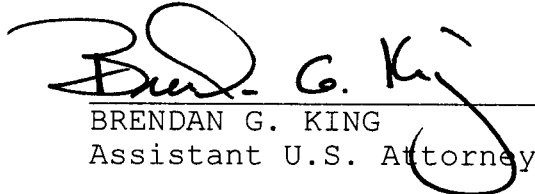
February 1, 2006, attesting to the publication of notice of the Preliminary Order of Forfeiture.)

8. No person or entity has filed a petition asserting a right, title, or interest in the Forfeited Funds or has requested an amendment to the Preliminary Order of Forfeiture, or has otherwise filed a claim to the Forfeited Funds.

9. In light of the foregoing, the United States of America respectfully requests the Court enter a Final Order of Forfeiture condemning and forfeiting to the United States all right, title and interest in the Forfeited Funds, and directing the United States to dispose of the Forfeited Funds in accordance with all applicable laws and regulations.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and information.

Dated: Brooklyn, New York
April 11, 2006


BRENDAN G. KING
Assistant U.S. Attorney



Department of the Treasury
Federal Law Enforcement Agencies
PROCESS RECEIPT AND RETURN

PLANTIFF UNITED STATES OF AMERICA		COURT CASE NUMBER CR-03-1368 (ARR)	
DEFENDANT GARY LALL		TYPE OF PROCESS Preliminary Order of Forfeiture	
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO BE SERVED OR DESCRIPTION OF PROPERTY TO SEIZE. Mel A. Sachs, Esq. ADDRESS (Street or RFD, Apartment No., City, State and Zip Code) 52 Duane Street, New York, NY 10007		
	SEND NOTICE OR SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW ROSLYNN R. MAUSKOPF UNITED STATES ATTORNEY - EDNY 1 Pierrepont Plaza, 16th Floor Brooklyn, NY 11201 ATTN: AUSA Brendan G. King		
		NUMBER OF PROCESS TO BE SERVED IN THIS CASE	
		NUMBER OF PARTIES TO BE SERVED IN THIS CASE	
		CHECK BOX IF SERVICE IS ON USA	
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Includes Business and Alternate Addresses, Telephone Numbers, and Estimated Times Available For Service) Please serve copy of Preliminary Order of Forfeiture on Mel A. Sachs, Esq., attorney for defendant, Gary Lall, at the address indicated above, by certified mail, return receipt requested.			
Signature of Attorney or other Originator requesting service on behalf of: (XX) Plaintiff <i>Brendan G. King</i> () Defendant		TELEPHONE NO. 718-254-6006	DATE 11/30/05
SIGNATURE AND DATE OF PERSON ACCEPTING PROCESS.			
SPACE BELOW FOR USE OF TREASURY LAW ENFORCEMENT AGENCY			
I acknowledge receipt for the total number of process indicated.	District of Origin No. _____	District to Serve No. _____	SIGNATURE OF AUTHORIZED TREASURY AGENCY OFFICER. <i>S. Carne</i> DATE 11/12/06
I HEREBY CERTIFY AND RETURN THAT I () PERSONALLY SERVED, () HAVE LEGAL EVIDENCE OF SERVICE, (X) HAVE EXECUTED AS SHOWN IN "REMARKS", THE PROCESS DESCRIBED ON THE INDIVIDUAL, COMPANY, CORPORATION, ETC., AT THE ADDRESS SHOWN ABOVE OR ON THE ADDRESS INSERTED BELOW.			
() I HEREBY CERTIFY AND RETURN THAT I AM UNABLE TO LOCATE THE INDIVIDUAL, COMPANY, CORPORATION, ETC. NAMED ABOVE.			
NAME & TITLE OF INDIVIDUAL SERVED IF NOT SHOWN ABOVE.		() A person of suitable age and discretion then residing in the defendant's usual place of abode.	
ADDRESS: (Complete only if different than shown above)		DATE OF SERVICE	TIME OF SERVICE () AM () PM.
		SIGNATURE, TITLE AND TREASURY AGENCY	
REMARKS: The Preliminary Order of Forfeiture was mailed to Mel A. Sachs at address indicated above sent certified return receipt requested.			

TD F 90-22.48 (6/96)

**GOVERNMENT
EXHIBIT**

A



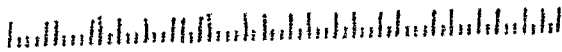
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

US Customs
Bldg. 77, JFK Airport
FP&F - Room 200
Jamaica, NY 11430

JFK-FPF 06 JAN 06 PM 2:13

4-000386



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mel A. Sachs, Esq.
52 Duane Street
New York, N.Y. 10007

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

[Signature]

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

1/23/06

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7002 2410 0003 9638 8786

JAN 19 2006

CERTIFIED MAIL-RETURN RECEIPT

ENF-4:KF JEC/GMC

CN: 2004-4701-000386

PRELIMINARY ORDER OF FORFEITURE

Mel A. Sachs, Esq.
52 Duane Street
New York, N.Y. 10007

Re: CR-03-1368 (ARR)

Dear Mr. Sachs:

Enclosed for your records is a copy of the Preliminary Order of Forfeiture regarding the seizure of United States currency in the amount of Twenty six thousand seven hundred eight dollars (\$26,708.00) seized against Gary Lall.

Sincerely,

Ron Simon
Director
Fines, Penalties & Forfeitures
JFK Airport

Enclosures: Preliminary Order of Forfeiture

cc: Judy Altman, Associate Chief Counsel

UC

JAN 18 2006

UA / SJN
1/19

ORIGINAL

SLR:EAB:BGK
F. # 2003R01382

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

GARY LALL,
also known as "Indian,"

Defendant.

----- X

PRELIMINARY ORDER OF
FORFEITURE

CR-03-1368 (ARR)

WHEREAS, in the above-captioned Superseding Indictment, the United States of America sought forfeiture pursuant to Title 21, United States Code, Section 853, which requires any persons convicted of a violation of Title 21, United States Code, Section 963, Title 21, United States Code, Section 846 and/or Sections 841(b)(1)(A)(ii)(II) or 841(b)(1)(C), to forfeit any property constituting, or derived from, proceeds obtained, directly or indirectly, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offenses; and

WHEREAS, on June 10, 2005, a jury convicted the defendant, GARY LALL, of all counts alleged in the Superseding Indictment; and

WHEREAS, on or about June 13, 2005, the jury found that the \$26,708.00 United States currency recovered from the premises and real property located at 31-09 Healy Avenue, Far Rockaway, New York, was subject to forfeiture by the defendant.

NOW, THEREFORE, it is HEREBY ORDERED, ADJUDGED and DECREED AS FOLLOWS:

1. Pursuant to 21 U.S.C. § 853, and Rule 32.2 of the Federal Rules of Criminal Procedure, the defendant, GARY LALL, shall forfeit to the United States all of his right, title and interest in the \$26,708.00 United States currency recovered from the premises and real property located at 31-09 Healy Avenue, Far Rockaway, New York (the "Forfeited Funds").

2. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant, GARY LALL, at the time of his sentencing and shall be made part of the sentence and included in the judgment.

3. Upon entry of this Order, the United States Attorney General, or his designee, is authorized to seize the Forfeited Funds and to use all means necessary to safeguard the Forfeited Funds pending the entry of a Final Order of Forfeiture.

4. Upon the entry of this Order, the United States Attorney General or designee is authorized to conduct any proper discovery in accordance with Fed. R. Crim. P. 32.2(b)(3), and to commence any applicable proceeding to comply with statutes governing third-party rights, including giving notice of this Order.

5. The United States shall publish notice of this Order and its intent to dispose of the Forfeited Funds in such a manner as the United States Attorney General, or designee, may direct.

6. The United States may also, to the extent practicable, provide direct written notice to any person known to have an alleged interest in any assets identified and/or seized in accordance with Fed. R. Crim. P. 32.2(e)(1) as a substitute for publishing notice as to those persons so identified.

7. Any person, other than the Defendant, asserting a legal interest in the Forfeited Funds must within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier, petition the Court for a hearing, without a jury, to adjudicate the validity of his alleged interest in the Forfeited Funds, and for an amendment to this order, pursuant to Fed. R. Crim. P. 32.2(c)(2).

8. Any petition filed by a third-party asserting an interest in the Forfeited Funds shall (i) be signed by the petitioner upon penalty of perjury; (ii) set forth the nature and extent of the petitioner's right, title or interest in the Forfeited Funds; and (iii) any additional facts supporting the petitioner's claim and relief sought.

9. At the expiration of the period provided by statute, or, in the event any third-party files a timely claim, upon adjudication of all third-party interests, the Court will enter a Final Order of Forfeiture in which all interests will be addressed.

10. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

11. The Clerk of the Court shall forward six (6) certified copies of this Order to Assistant U.S. Attorney Brendan G. King, U.S. Attorney's Office, Eastern District of New York, One Pierrepont Plaza, 16th Floor, Brooklyn, New York 11201.

Dated: Brooklyn, New York
June 22, 2005

HONORABLE ALLYNE R. ROSS
UNITED STATES DISTRICT JUDGE

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL™



7002 2410 0003 9638 8786
7002 2410 0003 9638 8786

Sent To: *Mr & Mrs. Jack, Jr.*
Street Apt. No.:
or PO Box No.
City, State, ZIP+4: *New York, N.Y. 10007*

PS Form 3800, June 2002 See Reverse for Instructions

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com
OFFICIAL USE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Mr & Mrs. Jack, Jr.
52 Duane Street
New York, N.Y. 10007*

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☐ Agent ☐ Addressed
- B. Received by (Printed Name) C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

- ☐ Yes

2. Article Number (Transfer from service label) **7002 2410 0003 9638 8786**

PS Form 3811, February 2004 Domestic Return Receipt

102595-02-M-1540



Department of the Treasury
Federal Law Enforcement Agencies
PROCESS RECEIPT AND RETURN

PLANTIFF <div style="text-align: center;">UNITED STATES OF AMERICA</div>		COURT CASE NUMBER <div style="text-align: center;">CR-03-1368 (ARR)</div>	
DEFENDANT <div style="text-align: center;">GARY LALL</div>		TYPE OF PROCESS <div style="text-align: center;">Legal Notice</div>	
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO BE SERVED OR DESCRIPTION OF PROPERTY TO SEIZE. <div style="text-align: center;">CP</div> ADDRESS (Street or RFD, Apartment No., City, State and Zip Code) <div style="text-align: center;">1 Penn Plaza, 11th Floor, New York, NY 10119</div>		
	SEND NOTICE OR SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW <div style="text-align: center;">ROSLYNN R. MAUSKOPF UNITED STATES ATTORNEY - EDNY 1 Pierrepont Plaza, 16th Floor Brooklyn, NY 11201 ATTN: AUSA Brendan G. King</div>		
NUMBER OF PROCESS TO BE <div style="text-align: center;">SERVED IN THIS CASE</div> NUMBER OF PARTIES TO BE <div style="text-align: center;">SERVED IN THIS CASE</div> CHECK BOX IF SERVICE IS ON USA			
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Includes Business and Alternate Addresses, Telephone Numbers, and Estimated Times Available For Service) <div style="text-align: center;">Please publish legal notice (prelim order of forfeiture)</div>			
Signature of Attorney or other Originator requesting service on behalf of: (<input checked="" type="checkbox"/>) Plaintiff <div style="text-align: center;"><i>Brendan G. King</i> Brendan G. King () Defendant</div>		TELEPHONE NO. <div style="text-align: center;">718-254-6006</div>	DATE <div style="text-align: center;">11/30/05</div>
SIGNATURE AND DATE OF PERSON ACCEPTING PROCESS.			
SPACE BELOW FOR USE OF TREASURY LAW ENFORCEMENT AGENCY			
I acknowledge receipt for the total number of process indicated.	District of Origin No. _____	District to Serve No. _____	SIGNATURE OF AUTHORIZED TREASURY AGENCY OFFICER. <div style="text-align: center;"><i>McArne</i></div>
DATE <div style="text-align: center;">11/4/06</div>			
I HEREBY CERTIFY AND RETURN THAT I () PERSONALLY SERVED. () HAVE LEGAL EVIDENCE OF SERVICE. (X) HAVE EXECUTED AS SHOWN IN "REMARKS", THE PROCESS DESCRIBED ON THE INDIVIDUAL, COMPANY, CORPORATION, ETC., AT THE ADDRESS SHOWN ABOVE OR ON THE ADDRESS INSERTED BELOW.			
() I HEREBY CERTIFY AND RETURN THAT I AM UNABLE TO LOCATE THE INDIVIDUAL, COMPANY, CORPORATION, ETC. NAMED ABOVE.			
NAME & TITLE OF INDIVIDUAL SERVED IF NOT SHOWN ABOVE.		() A person of suitable age and discretion then residing in the defendant's usual place of abode.	
ADDRESS: (Complete only if different than shown above)		DATE OF SERVICE	TIME OF SERVICE () AM () PM.
		SIGNATURE, TITLE AND TREASURY AGENCY	
REMARKS: <div style="text-align: center;">As stated above, Legal Notice Published in N.Y. Post on 1/16, 1/23 & 1/30/06.</div>			

TD F 90-22.48 (6/96)

**GOVERNMENT
EXHIBIT**

B

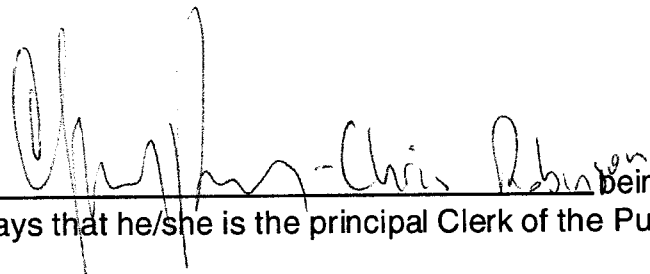
WHITE COPY - Return to Court

Emc

State of New York
COUNTY OF NEW YORK

SS:

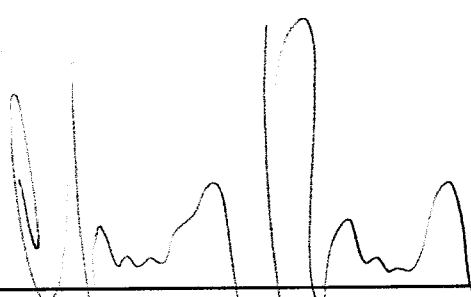
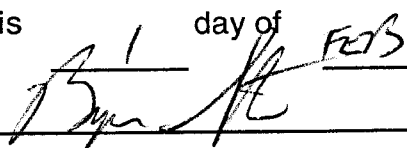
537779

 Being duly sworn,
says that he/she is the principal Clerk of the Publisher of the

New York Post

a daily newspaper of general circulation printed and published
in the English language, in the County of New York, State of
New York; that advertisement hereto annexed has been
regularly published in the said "NEW YORK POST" once,
on the 16 day of January, 2006
on the 23 day of January, 2006
on the 30 day of January, 2006

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
-----X
UNITED STATES OF AMERICA,
Criminal No.
No. 03-CR-1368 (ARR)
-against-
GARY LALL aka "Indian",
Defendant.
-----X
LEGAL NOTICE
NOTICE IS HEREBY GIVEN, that by
order dated June 22, 2005, in the
above captioned case, the Honorable
Allyne R. Ross, United States District
Judge for the Eastern District of New
York, entered a Preliminary Order of
Forfeiture against GARY LALL, con-
demning and forfeiting all of his
right, title and interest in \$26,708.00
United States currency recovered
from the premises and real property
located at 31-09 Healy Avenue, Far
Rockaway, New York, to the United
States of America as property that
constitutes or is derived, directly or
indirectly, from proceeds used or in-
tended to be used to commit viola-
tions of 18 U.S.C. § 963, and 21 U.S.C.
§§ 846, 841 (b)(1)(A)(i)(II) and/or
841(b)(1)(C).
NOTICE IS HEREBY GIVEN that the
United States intends to dispose of
this property in such a manner as the
United States Attorney General may
direct. Pursuant to 21 U.S.C. § 853, if
you have a legal interest in this prop-
erty, **WITHIN THIRTY (30) days** of re-
ceipt of this notice or final publica-
tion, whichever is earlier, you must
petition the United States District
Court for the Eastern District of New
York for a hearing to adjudicate the
validity of your alleged legal interest
in this property. If a hearing is re-
quested, it shall be held before the
Court alone, without a jury. Pursuant
to 18 U.S.C. § 1963(1)(3), the peti-
tion must be signed by the petitioner un-
der penalty of perjury, and shall set
forth the nature and extent of the
petitioner's right, title or interest in
each item of property; the time and
circumstances of petitioner's acqui-
sition of the right, title and interest in
each item of property; and any addi-
tional facts supporting petitioner's
claim and the relief sought. The peti-
tion should be filed with the Clerk of
the Court, United States District
Court, Eastern District of New York,
225 Cadman Plaza East, Brooklyn,
New York 11201. A copy of the peti-
tion should also be served upon
ROSLYNN R. MAUSKOPF, United
States Attorney for the Eastern Dis-
trict of New York, attorney for plain-
tiff, UNITED STATES OF AMERICA,
Attn: BRENDAN G. KING, Assistant
U.S. Attorney, One Pierrepoint Plaza,
16th Floor, Brooklyn, New York
11201.
All persons with an interest in the
property herein described who fail to
file a petition to assert their right
WITHIN THIRTY (30) days of this
notice shall be deemed in default,
and their right, title and interest in
this property shall be lost and
forfeited to the United States.


Sworn to before me this _____ day of FEB 2006

Notary Public